

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 3:19-cr-41-J-39PDB

FRANCES DAWSON

ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Doc. 34; Report) entered by the Honorable Patricia D. Barksdale, United States Magistrate Judge. The Report addresses Defendant's Motion to Suppress Statements (Doc. 17; Motion). The Magistrate Judge reviewed the Motion and the Government's Response in Opposition (Doc. 23) thereto. The Magistrate Judge also conducted an evidentiary hearing on the Motion. (Docs. 28 and 32). After consideration of the evidence produced at the hearing and the parties' briefs, the Magistrate Judge concluded that Defendant's Motion was due to be denied. Report at 23. Defendant has not filed objections to the Report and the time to do so has passed.¹ Accordingly, the matter is ripe for review.

The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b); see also Fed. R. Crim. P. 59(b)(3). If no specific objections to findings of facts are filed, the district judge is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1); Fed. R. Crim. P.

¹ "Within 14 days after being served with a copy of the recommended disposition" of a motion to suppress, "a party may serve and file specific written objections to the proposed findings and recommendations." Fed. R. Crim. P. 59(b)(2). "Failure to object in accordance with this rule waives a party's right to review." Id.; see also 28 U.S.C. § 636(b)(1)(B); 11th Cir. R. 3-1; Local Rule 6.02.

59(b)(2). However, a district judge "must consider de novo any objection to the magistrate judge's recommendation[.]" Fed. R. Crim. P. 59(b)(3), and reviews all legal conclusions de novo, see Cooper-Houston v. Southern Ry., 37 F.3d 603, 604 (11th Cir. 1994). Upon independent review of the record, including the transcript of the evidentiary hearing, and for the reasons stated in the Magistrate Judge's Report, the Court will adopt the factual and legal conclusions of the Magistrate Judge.

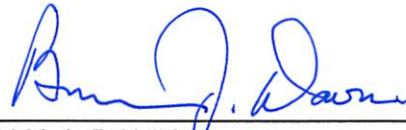
Accordingly, after due consideration, it is

ORDERED:

1. The Report and Recommendation (Doc. 34) is **ADOPTED** as the opinion of the Court.

2. Defendant's Motion to Suppress Statements (Doc. 17) is **DENIED**.

DONE and **ORDERED** in Jacksonville, Florida this 4th day of November, 2019.



BRIAN J. DAVIS
United States District Judge

5

Copies furnished to:

The Honorable Patricia D. Barksdale
United States Magistrate Judge

Counsel of Record